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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/040,424

01/09/2002

Yiu-Keung Ng

SCTI-102

2181

21272

7590

05/28/2004

MORLAND C FISCHER  
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EXAMINER

MYERS, PAUL R

ART UNIT

PAPER NUMBER

2112

DATE MAILED: 05/28/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/040,424

Applicant(s)

NG, YIU-KEUNG

Examiner

Paul R. Myers

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-10 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 9-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Austruy et al PN 5,140,691.

In regards to claim 1: Austruy et al teaches a peripheral bus interconnect system, comprising: first (52) and second (54) peripheral bus lines that are electrically independent from one another; first (56) and second (58) arrays of peripheral devices respectively connected to said first (52) and second (54) peripheral bus lines; first (26) and second (28) controllers respectively connected to said first (52) and second (54) peripheral bus lines to drive said first (52) and second (54) bus lines in order to access and control the first (56) and second (58) arrays of peripheral devices connected thereto; and a normally open switch (50) located between said first (52) and second (54) peripheral bus lines and adapted to be closed to connect said first and second bus lines together in response to a malfunctioning of one of said first (26) and second (28) controllers (“duplex normal”), whereby the first (56) and second (58) arrays of peripheral devices are accessed and controlled by the normally functioning other one of said first (26) and second (28) controllers by way of said switch (50) (see also Figure 4).

In regards to claim 2: Austruy et al teaches the adapters can be addressed. This inherently requires different addresses.

In regards to claims 9-10: Austruy et al teaches the electrical trace.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Austruy et al PN 5,140,691 in view of Dixon et al PN 5,175,822 and Bell PN 6,678,721.

In regards to claim 3: Austruy et al teaches the multiple controller bus structure as described above. Austruy et al does not teach assigning addresses. Dixon et al teaches a system with multiple controllers in which one is the high priority master and the high priority master assigns addresses to devices. Bell teaches powering up multiple computers in which the one that powers up first is the controlling master. It would have been obvious to a person of ordinary skill in the art at the time of the invention to have the controller that powers up first in Austruy et al to be the priority controller that assigns addresses to the devices because this would have provided a method of assigning addresses.

In regards to claim 4: Austruy et al teaches bus isolation.

In regards to claim 5: Austruy et al teaches the controllers having there own power supplies.

Art Unit: 2112

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Austruy et al PN 5,140,691 in view of Cebasek et al PN 6,104,963.

In regards to claim 8: Austruy et al teaches the multiple controllers as described above. Austruy et al does not teach the controllers sending health information to each other but instead to a centralized controller. Cebasek et al teaches that it is the trend today to move from a centralized controller to distributed control in which one device monitors the "heartbeat" of another device. It would have been obvious to a person of ordinary skill in the art at the time of the invention to distribute the control of the switches to the controllers because this would have prevented failure of the service processor from causing a system wide failure.

#### *Allowable Subject Matter*

6. Claims 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: The claimed timing of when the switch is opened in response to powering up was not found in the prior art.

#### *Conclusion*

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2112

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul R. Myers whose telephone number is 703 305 9656. The examiner can normally be reached on Mon-Thur 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703 305 4815. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRM  
May 26, 2004



PAUL R. MYERS  
PRIMARY EXAMINER